

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANGELA HOGAN, individually and on behalf  
of all others similarly situated,

Plaintiff,

V.

AMAZON.COM, INC.,

Defendant.

No. 2:21-cv-00905-BJR

DEFENDANT AMAZON.COM,  
INC.'S NOTICE OF PENDENCY OF  
OTHER ACTION IN ANOTHER  
JURISDICTION OR FORUM

Pursuant to Local Civil Rule 3(h), defendant Amazon.com, Inc. (“Amazon”) identifies the following case pending in another jurisdiction or forum: *B.H. v. Amazon.com, Inc.*, No. 1:21-cv-03169 (N.D. Ill. Jun. 11, 2021) (the “*B.H.* case”).

The *B.H.* case involves all or a material part of the same subject matter as this case.

See L.R. 3(h). In this case, plaintiff Angela Hogan asserts claims against Amazon under Sections 15(a), (b), and (c) of the Illinois Biometric Information Privacy Act (“BIPA”). Hogan also asserts a claim for common-law unjust enrichment. Hogan’s claims are based on Amazon’s alleged collection, possession, and use of her Biometric Data in connection with her Amazon Photos account.<sup>1</sup> In the *B.H.* case, Hogan asserts the same claims, based on substantially similar

<sup>1</sup>For the sake of brevity, Amazon uses the term “Biometric Data” to refer collectively to “biometric identifiers” and “biometric information,” as those terms are defined by BIPA. See 740 ILCS § 14/10. By using that shorthand reference, Amazon does not concede or suggest that it collected, possessed, used, disclosed, or profited from any data governed by BIPA.

1 allegations, on behalf of B.H.—Hogan’s minor child. *Compare, e.g., Hogan v. Amazon.com,*  
 2 *Inc.,* No. 2:21-cv-00905, Dkt. 1-2 (W.D. Wash.) (“*Hogan Complaint*”) *with B.H. v. Amazon.com,*  
 3 *Inc.,* No. 1:21-cv-03169, Dkt. 1-1 (N.D. Ill.) (“*B.H. Complaint*”). Indeed, many of the paragraphs  
 4 in the two complaints are identical. *Compare, e.g., Hogan Compl. ¶¶ 1-12 with B.H. Compl. ¶¶*  
 5 1-12.

6 The parties are also substantially the same. *See* L.R. 3(h). Amazon is the sole defendant  
 7 in both cases. Hogan is the named plaintiff in this case. Hogan is also the legal representative of  
 8 the plaintiff in the *B.H.* case. And the putative classes in both cases are similar and overlapping.  
 9 *Compare Hogan Compl. ¶ 76 with B.H. Compl. ¶ 78.*

10 Amazon respectfully submits that the similarity between the subject matter and the  
 11 parties indicates that coordination between this case and the *B.H.* case could help avoid conflicts,  
 12 conserve resources, and promote the efficient determination of both actions. Amazon does not  
 13 believe that transfer should be effected pursuant to 28 U.S.C. § 1407.

14  
 15 Dated: July 9, 2021

By: /s/ Ryan Spear

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